

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

DARRELL JONIC GASH

CIVIL ACTION NO. 6:24-0367-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

BRENTT GASPARD, ET AL.

MAGISTRATE JUDGE WHITEHURST

ORDER

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections (Record Documents 12 & 13) to the Report and Recommendation in the record;

IT IS ORDERED that Plaintiff's claims against Brady Holtzclaw be **DISMISSED WITH PREJUDICE** as frivolous.

IT IS FURTHER ORDERED that Plaintiff's request for release from custody be **DENIED** for failing to state a claim upon which relief may be granted.

IT IS FURTHER ORDERED that this civil action, which asserts claims of civil rights violations against Detective Gaspard, is **STAYED** and the Clerk of Court should **administratively close** this case until further order of the Court. This case will remain closed until such time as Plaintiff might file a motion to lift stay after the completion of his criminal proceedings. He will, if he files such a motion, have to show that the litigations of the claims presented in this case would not run afoul of Heck or that the Heck conditions (charges dismissed or any conviction reversed or set aside) have been met.

THUS DONE AND SIGNED, in Shreveport, Louisiana, this this 20th day of
September, 2024.


Almane Helis
United States District Judge